

REMARKS

Claims 1-11 and 22 are pending in the current applications. Claims 1-11 have been allowed. Claim 22 is rejected. No amendments to the claims have been made in the current paper. Applicants thank the Examiner for allowing claims 1-11.

Claim 22 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claim[s] 11 of U.S. Patent No. 6,699,887 B2.

A terminal disclaimer in compliance with 37 CFR §1.321(c) may be used to overcome the rejection based on a nonstatutory double patenting ground providing the conflicting patent is shown to be commonly owned with this application. A terminal disclaimer has been filed herewith. The assignee of U.S. No. 6,699,887, Hoffmann-La Roche Inc., and the assignee of the instant application, Roche Palo Alto LLC, are under common ownership and control.

CONCLUSION

With the submission of the terminal disclaimer all pending claims are believed to be in condition for allowance and issuance of a notice of allowance is respectfully requested. The Examiner is authorized to deduct the fee for a one month extension under 37 CFR 1.17(a)(1) and the fee for a terminal disclaimer under 37 CFR 1.20(d) from deposit account 18-1700. No other fees are believed to be due with this submission but in the event that a fee is required the Examiner is authorized to deduct it from the deposit account. If the Examiner believes a telephone conference will expedite the prosecution of this application, the Examiner is invited to contact the undersigned at the number indicated below.

Respectfully submitted,



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